

DEC 15 2006

REMARKS

Claims 1-13, 22, 23 and 28-40 are pending in this application. Claim 22 has been amended. Applicants respectfully request reconsideration of the claims in view of the following remarks.

Applicants submit that the claims are clearly in condition for allowance, as will be discussed herein below. The accompanying remarks are necessary and were not presented earlier because Applicants did not fully understand the nature of Examiner's position until Applicants were advised in detail of that position by the Examiner's Response to Applicants' Arguments in the final rejection dated October 17, 2006. Applicants believed that the amendment filed August 1, 2006 overcame Examiner's rejections at that time, and continue to overcome Examiner's current rejections. The remarks of the instant response further clarify and distinguish Applicants' invention over Examiner's grounds of rejection and supporting reasoning. Applicants respectfully submit that the proposed amendments comply with 37 C.F.R. § 1.116 and should therefore be entered.

Claims 22-23, 28-31 and 40 are objected to because it is unclear how the wafer is aligned in "a radial direction" on a chuck since the radial direction is not defined. Applicants respectfully traverse these objections.

Independent claim 22 has been amended to replace the word "radial" with the Greek letter phi, " $\phi$ ." The claim as amended now recites "aligning the wafer in a  $\phi$  direction" and "after aligning the wafer in the  $\phi$  direction ...." Applicants submit that the term " $\phi$  direction" is supported by the phrase "prealignment in the  $\phi$  direction" present in paragraphs 13 and 29 of the specification. By "prealignment in the  $\phi$  direction" it is meant that the wafer is rotated into the correct angular position. The Greek letter  $\phi$  commonly

refers to an angular measurement or direction. Applicants, therefore, respectfully submit that claim 22, as amended overcomes the Examiner's objections.

Claims 1, 4-6, 22, 23, 28-29 and 40 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Chen (U.S. Patent Application Publication No. 2002/0170880, hereinafter "Chen"), in view of Mori et al. (U.S. Patent No. 5,268,744, hereinafter "Mori"). Claims 2-3, 7-13 and 30-39 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Chen, in view of Mori, as applied to claims 1, 4-6, 22, 23, 28-29 and 40 above, and further in view of Farrar et al. (U.S. Patent Application Publication No. 2002/0076896, hereinafter "Farrar"). Applicants respectfully traverse these rejections.

Independent claim 1 recites "a positioning system comprising a plurality of infrared light sources and a plurality of infrared cameras ...." Applicants respectfully submit that the references of record do not teach or suggest the limitations of claim 1.

The Office Action states "Chen does not clearly teach the plurality of infrared light sources and a plurality of infrared camera. Mori teaches the use of infrared light sources 4 and 8 for positioning a wafer 2 on a stage or chuck 102 (Mori, Fig. 5 and col. 10, lines 31-36 and col. 11 lines 30-35)." Office Action, pages 2-3. This quote from the Office Action is clearly incorrect. While the Mori reference teaches the use of two light sources, 4 and 8, Mori does not teach a plurality of infrared light sources, as required by the claim. Quite to the contrary, Mori teaches the exact opposite. In Figure 5 of Mori, light source 8 is represented by the electrical symbol for an incandescent light, a broad spectrum light source. The light from source 8 is passed through an infrared *blocking* filter 27 which *intercepts* infrared components. (Mori, col. 10, lines 15-18, col. 11 lines 8-11). Mori, therefore, teaches away from having a plurality of infrared light sources.

Regarding the plurality of infrared light sources, the Office Action states on page 3 that "the broad provision of a plurality of a single element taught by the Chen or the prior art has long been held to be an obvious expedient." The Office Action has provided no legal support for the notion that a plurality of elements has long held to be an obvious expedient. To make such a rejection, there needs to be "a finding as to the specific understanding or principle within the knowledge of a skilled artisan" that would motivate one to use a plurality of infrared light sources. *In re Kotzab*, 217 F.3d 1365, 1371, 55 USPQ2d 1313, 1318 (Fed. Cir. 2000) (Court reversed obviousness rejection involving the technologically simple concept of using a single sensor to control multiple valves rather than multiple sensors controlling multiple valves because there was no finding as to the principle or specific understanding within the knowledge of a skilled artisan that would have motivated the skilled artisan to make the claimed invention). MPEP § 2143.01(I). MPEP § 2143.01(IV). No such finding has been made (or can be made) and, therefore, it is respectfully submitted that claim 1 is allowable over the references of record.

Claims 2-13 depend from claim 22 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

Independent claim 22 recites "wherein the infrared position system includes a plurality of infrared light sources and a plurality of infrared cameras." As noted above, Mori teaches blocking the infrared components from one of the light sources. As is discussed herein above with respect to claim 1, Chen teaches a single camera, and Mori teaches away from having a plurality of infrared light sources. As a result, the references taken individually or in combination fail to teach or suggest the limitations of claim 22.

Applicants, therefore, respectfully submit that claim 22 is allowable over the references of record.

Claims 23 and 28-40 depend from claim 22 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

In view of the above, Applicants respectfully submit that this response complies with 37 C.F.R. § 1.116. Applicants further submit that the claims are in condition for allowance. No new matter has been added by this amendment. If the Examiner should have any questions, please contact Applicants' attorney at the number listed below. No fee is believed due in connection with this filing. However, in the event that there are any fees due, please charge the same, or credit any overpayment, to Deposit Account No. 50-1065.

12/15/06

Date

Respectfully submitted,



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